

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT MCBRAYER,)
Petitioner,)
vs.) Civil Action No. 10-162
MICHAEL W. HARLOW, et al.,)
Respondents.)

O R D E R

AND NOW, this *23rd* day of March, 2010, after the petitioner, Robert McBrayer, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the petitioner until March 19, 2010 after being served with a copy to file written objections thereto, and upon consideration of the objections filed by petitioner, and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 7), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner (Docket No. 3) is transferred forthwith to the United States Court of Appeals for the Third Circuit as a successive petitioner pursuant to 28 U.S.C. § 1631.

Donetta W. Ambrose
Donetta W. Ambrose
United States District Judge

cc: Robert McBrayer
EQ-2831
SCRF Mercer
801 Butler Pike
Mercer, PA 16137